

Old Field Variance Application

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Prepared 8/15/00
Rev. 11/21/01
Rev. 4/7/16 EAS

**INC. VILLAGE OF OLD FIELD
BOARD OF ZONING APPEALS**

Return all required information to
Inc. Village of Old Field - Village Clerk
207 Old Field Road P.O. Box 2724 Setauket, New York 11733

1. Appellant(s)/Owner(s) Name: _____

2. Address: _____ Phone #: _____

3. If Appellant is Contract Vendee, list name and current address of property owner(s) and attach owner's consent to the application.

4. Attorney, Engineer, or other Representative _____

Firm/Company Name _____

Address _____ Zip Code _____

Phone # _____ Fax # _____

5. Description of Subject Property:

Address: _____ Sec. _____ Blk. _____ Lot(s) _____

Zoning District: _____ Lot area: _____

6. The variance involved relates to: (STRIKE OUT WORDS NOT APPLICABLE)

Use

Area

Frontage
Side Yard
Width,
Height
Front Yard
Rear Yard
Depth
Floor Area

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Flood Zone Regulations
Coastal Erosion

Non-Conforming Lot

Application to vary the provision of Article _____, Section(s) _____, Subsection(s) _____ of the Building Zone Ordinance to construct or maintain (describe project).

Attach the Building Inspector's written denial of building permit/certificate of occupancy.
(IF MORE THAN ONE VARIANCE IS REQUESTED, PLEASE CHECK HERE [] AND LIST THE INFORMATION REQUIRED UNDER # 6 ON AN ADDITIONAL PAGE.)

7. State the proposed construction or use requested, the proposed dimensions and the **zoning requirements**. (Example: The proposed building/addition will be 35 feet rather than the required 50 feet from side line)

8. Please answer the following and explain the grounds supporting your response.

(a) Will the requested variance produce an undesirable change in the character of the neighborhood or detriment to nearby properties? **YES/NO** - Explain

(b) Can the benefit sought by the requested variance be achieved by some feasible method other than the variance? **YES/NO** - Explain

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(c) Is the requested variance substantial? **YES/NO** - Explain

(d) Will the requested variance result in an adverse impact on the physical or environmental condition of the neighborhood? **YES/NO** - Explain

(e) Is the alleged difficulty in locating requested structure in a conforming location self created by the applicant? **YES/NO** - Explain

9. State how the granting of this variance will benefit the owner and why it is necessary.

10. Does Applicant require Relief from Chapter 19-Coastal Erosion Hazard Areas Yes___ No___

If yes, please complete paragraphs 10(a) & 10(b), if no, please proceed to paragraph 11.

10(a). Please answer the following and explain the grounds supporting your response.

Refer to Chapters 19-20.

(a) Is there a reasonable and prudent alternative site available? Explain

(b) Have all responsible means and measures to mitigate adverse impacts on natural systems and their functions and values have been incorporated into the activity's design at the property owner's expense? Explain

(c) Will the development will be reasonably safe from flood and erosion damage? Explain

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(d) Will the variance requested be the minimum necessary to overcome the practical difficulty or hardship which was the basis for the requested variance? Explain

(e) If public funds are utilized, the public benefits must clearly outweigh the long-term adverse effects. Explain

The criteria set forth in Chapters 19-20 shall only be varied upon a finding of practical difficulty or unnecessary hardship.

10(b). State how the granting of this coastal erosion variance will benefit the owner and why it is necessary.

11. The section, block, lot, name(s), and mailing addresses of all property owners within 200 feet of property of Appellants(s) are as follows :(**Please use an additional page if necessary**)

Sec., Blk., Lot

Name
Mailing Address
(Street No.; Street; PO Box; Zip)

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12. Has the premises at the subject address ever been the subject of a prior variance application? _____
If yes, state the date of hearing, relief requested and decision

AFFIRMATION ON SEARCH OF NEIGHBORING PROPERTY OWNERS

Deposes and says:

That he/she is over the age of eighteen and resides at

That on the _____ day of _____, 200____, deponent searched the current Village or Town tax roll records and hereby certifies that such records show the above listed current title owners of the above listed properties within 200 feet of the subject premises.

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I HAVE READ THE FOREGOING AND UNDERSTAND THAT ANY FALSE STATEMENT MADE THEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.

Date: _____ Λ _____
Record Search Deponent's Signature

WHEREFORE, in accordance with the foregoing alleged facts Appellant(s) request said Board of Appeals to vary the strict application of the aforesaid provision(s) of said Village's Building Zone Ordinance, to grant the relief requested and grant such other and further or lesser relief as to this Board seems just and proper.

I HAVE READ THE FOREGOING APPEAL /APPLICATION AND UNDERSTAND THAT ANY FALSE STATEMENT MADE THEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.

_____ Λ _____
Date Appellant(s) Signature(s)

(Note: General Municipal Law of the State of New York, Section 809 enacted in 1969 **requires** the filing of the following completed Disclosure Statement)

DISCLOSURE STATEMENT

_____ deposes and says:
Appellant(s) Name

1. **FOR INDIVIDUAL APPLICANTS** (Strike out if not applicable)
a. I am over the age of 21 and reside at _____

b. I am the _____ of the property designated as Section _____ Block _____ Lot(s) _____
(Owner/contract vendee - insert one)
on the Real Property Tax Map of Suffolk County which forms the subject matter of this application and am fully familiar with all the facts and circumstances hereinafter set forth.

1. **FOR CORPORATE APPLICANTS** (Strike out if not applicable)
a. I am the _____ of the _____ with offices
(Office Held) (Name of Corp.)
located at: _____
and am fully familiar with all the facts and circumstances hereinafter set forth.

b. The corporation was incorporated under the Laws of the State of _____ and is the
_____ of the property designated as Section _____ Block _____ Lot(s) _____
on the Real Property Tax Map of Suffolk County.

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c. The following are the names and residences of each officer, director and shareholder: (Set forth names, residences and relationship to corp.) (Add additional sheet if necessary.)

d. That the corporate stock of said corporation has not been pledged to any person nor has any agreement been made to pledge the said stock: (except: If any, set forth details.)

1. **FOR PARTNERSHIP APPLICANTS (Strike out if not applicable.)**

a. That I am a _____ of the _____
(Partner, Joint Venturer, etc.) (Name of Partnership)
and am fully familiar with all the facts and circumstances hereinafter set forth.

b. That the above partnership was established in _____
(Place)

on _____ and is the _____ of the property designated as
(Owner or Contract Vendee)
Section _____ Block _____ Lot(s) _____ on the Real Property Tax Map of Suffolk County.

c. That the following are the names, addresses and interests, respectively, of all partners (joint ventures', etc.): (Add additional sheet if necessary)

Disclosure Statement must be completed.

2. That there are no encumbrances or holders of any instruments creating an encumbrance upon the subject property (except: if any set forth details.)

3. That neither deponent nor any other person mentioned in this statement is a Village officer or employee, or is related to a Village officer or employee. (Except: if any set forth details.)

4. That no State Officer or employee or local municipal officer or employee in Suffolk County or

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his spouse or a person by consanguinity related to either of them within the third degree is (are) the Appellant(s) or an officer, director or employee of the Appellant(s), or legally or beneficially owns or controls the corporate stock of the Appellant(s) or is a partner of the Appellant(s) or associated with the Appellant(s) in a joint venture or has an agreement with the Appellant(s), expressed or implied whereby his compensation for services is to be dependent or contingent upon the favorable exercise of discretion in the granting of the application herein. (Except: if any set forth details.)

5. That in the event there is any change in the matters set forth herein prior to the public hearing relating to the property affected hereby, deponent(s) will file with the Village a supplemental statement indicating the details of such change within 48 hours of such change.

I HAVE READ THE FOREGOING AND UNDERSTAND THAT ANY FALSE STATEMENT MADE THEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.

Date

Λ _____
Appellant(s) Signature(s)
Λ _____
Appellant(s) Signature(s)

CONSENT OF ADJOINING OWNERS
(This page is not required and may be deleted)

We, the undersigned, property owners in the Village of _____ adjoining the property of Appellant(s) _____ herein described as Section _____ Block _____ Lot(s) _____, hereby approve(s) the granting of a variance by the Board of Zoning Appeals of said Village so as to permit the use, construction, or alteration of the building or structure or the use of the land sought by Appellant(s):

Name and Address of Person
(Please Print)

Signature

